

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

BLUE SPIKE, LLC,

*Plaintiff,*

V.

TEXAS INSTRUMENTS, INC.

*Defendant.*

BLUE SPIKE, LLC,

*Plaintiff,*

V.

IMAGWARE SYSTEMS, INC.,

*Defendant.*

Civil Action No. 6:12-CV-499-LED

(LEAD CASE)

## JURY TRIAL DEMANDED

Civil Action No. 6:12-CV-688-LED

(EXCEPT FOR VENUE, CONSOLIDATED  
WITH 6:12-CV-499)

## JURY TRIAL DEMANDED

**ORDER GRANTING DEFENDANT IMAGEWARE SYSTEMS, INC.'S MOTION  
TO DISMISS PLAINTIFF BLUE SPIKE, LLC'S CONTRIBUTORY AND WILLFUL  
INFRINGEMENT ALLEGATIONS UNDER FED. R. CIV. P. 12(b)(6)**

Having read and considered the briefs and arguments submitted both in support of and in opposition to Defendant ImageWare Systems, Inc.'s ("ImageWare") motion to dismiss the contributory and willful infringement allegations filed by Plaintiff Blue Spike, LLC ("Blue Spike"), and good cause appearing therefor:

IT IS HEREBY ORDERED that ImageWare's motion is granted and Blue Spike's complaint is hereby dismissed with leave to amend. Blue Spike shall file an amended complaint within 14 days of the date of this Order.